

Title 479 WAC

TRANSPORTATION IMPROVEMENT BOARD

(Formerly: Urban Arterial Board)

Chapters

479-01	Description of organization.
479-02	Public access to information and records.
479-05	Program requirements.
479-06	Financial requirements.
479-12	Urban arterial trust account projects.
479-14	Transportation improvement account projects.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 479-15 SUBMISSION OF PROPOSED PUBLIC TRANSPORTATION SYSTEMS ACCOUNT PROJECTS TO TRANSPORTATION IMPROVEMENT BOARD

479-15-005	Purpose and authority. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-005, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-008	Definitions. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-008, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-010	Programs funded from the public transportation systems account. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-010, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-100	Intent of the public transportation systems program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-100, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-110	Priority criteria for public transportation systems program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-110, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-120	Establishing regions for public transportation systems program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-120, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-130	Apportionment of funds to public transportation systems program regions. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-130, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-15-140	Eligible public transportation systems program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-15-140, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

Chapter 479-17 STATEWIDE COMPETITIVE AND ENHANCEMENT PROGRAMS

479-17-100	Transportation Equity Act for the 21st Century or its successor acts, surface transportation program, statewide competitive program account—Eligibility. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-17-100, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
------------	---

479-17-200	Transportation Equity Act for the 21st Century or its successor acts, statewide competitive program account—Criteria. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-17-200, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-17-300	Transportation Equity Act for the 21st Century or its successor acts, enhancement program account—Eligibility. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-17-300, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-17-400	Transportation Equity Act for the 21st Century or its successor acts, enhancement program account—Criteria. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-17-400, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

Chapter 479-510 CENTRAL PUGET SOUND PUBLIC TRANSPORTATION ACCOUNT, PUBLIC TRANSPORTATION SYSTEMS ACCOUNT, AND SURFACE TRANSPORTATION PROGRAMS

479-510-450	Transportation Equity Act for the 21st Century or its successor acts, enhancement program account—Eligibility. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-08-020, § 479-510-450, filed 3/29/99, effective 4/29/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-510-460	Transportation Equity Act for the 21st Century or its successor acts, enhancement program account—Criteria. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-08-020, § 479-510-460, filed 3/29/99, effective 4/29/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

Chapter 479-01 WAC DESCRIPTION OF ORGANIZATION

WAC

479-01-010	Organization of the transportation improvement board.
479-01-020	The time and place of board meetings.
479-01-030	The address of the board.
479-01-040	Definitions and acronyms.
479-01-050	Administrative costs.
479-01-060	Executive director—Powers and duties.

WAC 479-01-010 Organization of the transportation improvement board. The transportation improvement board is a twenty-one member board, organized under the provisions of RCW 47.26.121. The board administers the urban arterial trust account, the transportation improvement account, and the small city pavement and sidewalk account.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-01-010, filed 8/30/07, effective 9/30/07; 03-16-077, § 479-01-010, filed 8/4/03, effective 9/4/03. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-01-010, filed 11/23/99, effective 12/24/99. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-01-010, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-010, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-010, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-010, filed 10/26/83; Order 31 (part), § 479-01-010, filed 11/8/67.]

WAC 479-01-020 The time and place of board meetings. Regular public meetings of the board are held at least quarterly or more frequently as decided by a majority vote of the board. Regular meetings are held on the fourth Friday of the month, unless the week of the fourth Friday includes a holiday, wherein the board will determine the date of the

meeting. Each regular meeting is held at the time and place as designated by the board. The meeting schedule, for the following calendar year, will be approved at least three months before the beginning of the year.

A special meeting of the board may be called by the chairperson or by a majority of the members of the board. A written notice to all other board members is required at least twenty-four hours before the time of the meeting. The notice calling a special meeting will include:

- The purpose for the meeting;
- The date;
- The time;
- The place;

All provisions of RCW 47.26.150 transportation improvement board meetings, and chapter 42.30 RCW otherwise known as the Open Public Meetings Act will apply.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-01-020, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-01-020, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-020, filed 1/30/95, effective 3/2/95; 92-12-014, § 479-01-020, filed 5/26/92, effective 6/26/92; 90-11-035, § 479-01-020, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-020, filed 10/26/83; Order 279, § 479-01-020, filed 4/17/73; Order 31 (part), § 479-01-020, filed 11/8/67.]

WAC 479-01-030 The address of the board. The official mailing address of the board is:

Transportation Improvement Board
Post Office Box 40901
Olympia, Washington 98504-0901.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-01-030, filed 8/30/07, effective 9/30/07; 95-04-072, § 479-01-030, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-030, filed 5/10/90, effective 6/10/90; 83-22-021 (Order 83-01, Resolution Nos. 770, 771 and 772), § 479-01-030, filed 10/26/83; Order 281, § 479-01-030, filed 5/21/73; Order 31 (part), § 479-01-030, filed 11/8/67.]

WAC 479-01-040 Definitions and acronyms. The following definitions and acronyms apply:

- (1) TIB - the transportation improvement board.
- (2) Board - the transportation improvement board refers to the group of board members defined in RCW 47.26.121 and does not include the executive director or staff.
- (3) Director - the executive director of the transportation improvement board.
- (4) Staff - refers to the employees of the transportation improvement board excluding the executive director.
- (5) Agency - all cities, towns, counties, and transportation benefit districts eligible to receive board funding.
- (6) Local agency official - refers to a local agency elected official or staff who is authorized to sign contracts on the city, town, county, or transportation benefit district's behalf.
- (7) Urban area - refers to the portion of a county within the federal urban area boundary as designated by the Federal Highway Administration and/or Washington state's Growth Management Act.
- (8) Six-year transportation plan - refers to the city or county six-year transportation plan for coordinated transportation program expenditures per RCW 35.77.010 and 36.81-121.

(9) Small city - refers to an incorporated city or town with a population of less than five thousand.

(10) Sidewalk program - refers to both the urban and small city sidewalk programs.

(11) Population - is defined as office of financial management official published population at the time of application.

(12) Highway urban area population - as published by the office of financial management.

(13) Scope change - refers to a change in the physical characteristics and/or dimensions of a project.

(14) RJT - route jurisdiction transfer.

(15) RTP - road transfer program (also known as the City Hardship Assistance Program or CHAP).

(16) UATA - urban arterial trust account.

(17) TIA - transportation improvement account.

(18) Matching funds - all funds contributed to a project other than TIB funds.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-01-040, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-01-040, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-01-040, filed 1/30/95, effective 3/2/95; 90-11-035, § 479-01-040, filed 5/10/90, effective 6/10/90.]

WAC 479-01-050 Administrative costs. The costs for board activities, staff services, and facilities will be paid out of the transportation improvement account and the urban arterial trust account as determined by the biennial appropriation.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-01-050, filed 8/30/07, effective 9/30/07; 03-16-077, § 479-01-050, filed 8/4/03, effective 9/4/03. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-01-050, filed 11/23/99, effective 12/24/99. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-01-050, filed 10/30/95, effective 11/30/95.]

WAC 479-01-060 Executive director—Powers and duties. The board appoints an executive director who will serve at its pleasure to carry out the board priorities and the mission of the agency including the following administrative duties:

- (1) The executive director will direct and supervise all day-to-day activities of the staff.
- (2) The executive director is the appointing authority of the staff and may authorize subordinates to act in the executive director's place to carry out administrative duties.
- (3) The executive director has waiver authority for value engineering studies as described in WAC 479-05-040.
- (4) The executive director has sidewalk deviation authority as described in WAC 479-12-500 and 479-14-200.
- (5) The executive director has administrative increase authority for projects up to the following levels:
 - (a) Urban corridor program – fifteen percent of project costs or seven hundred fifty thousand dollars whichever is less.
 - (b) Urban arterial program – fifteen percent of project costs or seven hundred fifty thousand dollars whichever is less.
 - (c) Small city arterial program – up to one hundred twenty-five thousand dollars.
 - (d) Road transfer program – up to seventy-five thousand dollars.

(e) Sidewalk program – up to fifty thousand dollars.

(f) Small city preservation program – up to two hundred thousand dollars within available funding limitations.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-01-060, filed 8/30/07, effective 9/30/07.]

Chapter 479-02 WAC PUBLIC ACCESS TO INFORMATION AND RECORDS

WAC

479-02-010	Purpose.
479-02-050	Public records officer.
479-02-060	Public records available.
479-02-070	Requests for public records.
479-02-075	Response to requests.
479-02-080	Availability.
479-02-090	Inspection and copying cost.
479-02-100	Protection of public records.
479-02-110	Denial of request.
479-02-120	Review of agency denial.
479-02-130	Records index.

WAC 479-02-010 Purpose. The purpose of this chapter shall be to ensure compliance by the transportation improvement board with the provisions of chapter 42.56 RCW dealing with public records.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-010, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-02-010, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-010, filed 6/17/91, effective 7/18/91.]

WAC 479-02-050 Public records officer. The executive secretary is the public records officer for the transportation improvement board. The public records officer is responsible for implementation of the board's rules and regulations regarding release of public records and ensuring compliance with the public records disclosure requirements of chapter 42.56 RCW.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-02-050, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-050, filed 6/17/91, effective 7/18/91.]

WAC 479-02-060 Public records available. All public records defined in RCW 42.17.020 are available for public inspection and copying unless the record falls within the specific exemptions of chapter 42.56 RCW or other specific statute.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-060, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-02-060, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 91-13-056, § 479-02-060, filed 6/17/91, effective 7/18/91.]

WAC 479-02-070 Requests for public records. Public records requests should be sent to the public records officer at the office location using the following procedures:

(1) To ensure accuracy, any requests for public records should be made in writing and may be mailed, e-mailed, faxed, or delivered to the office during business hours.

(2) For prompt response, the following information should be provided in the request:

- (a) The name of the person requesting the record;
- (b) The date on which the request is made;
- (c) A specific description of the material requested;
- (d) A verification that the records requested will not be used to compile a sales list or used for commercial gain;

(e) Instructions as to whether the requestor wants to view the document at the TIB offices, receive a copy by mail, or receive an electronic copy if available.

(3) TIB's public records request form is available on the web site.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-070, filed 8/30/07, effective 9/30/07; 95-04-072, § 479-02-070, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-070, filed 6/17/91, effective 7/18/91.]

WAC 479-02-075 Response to requests. Upon receiving a request, the public records officer will respond within five business days in writing or by e-mail acknowledging receipt of the request and with one or more of the following:

- (1) The requested record;
- (2) An estimate of the time it will take to provide the record or a schedule for providing the records in installments, including:

(a) An estimate of the copying and shipping costs of the record; and

(b) A request for advanced partial payment of the copy and shipping costs;

(3) A request for further information or identification of the desired public records;

(4) A request for verification that the records requested will not be used to compile a sales list, or that the records will not be sold for commercial gain; or

(5) A denial of the request pursuant to WAC 479-02-110.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-075, filed 8/30/07, effective 9/30/07.]

WAC 479-02-080 Availability. Public records will be available for inspection and copying during the normal business hours of TIB. Normal office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday, except state holidays.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-080, filed 8/30/07, effective 9/30/07; 91-13-056, § 479-02-080, filed 6/17/91, effective 7/18/91.]

WAC 479-02-090 Inspection and copying cost. (1) No fee is charged for inspection of public records.

(2) The board will charge a reasonable fee for providing copies of public records as provided in RCW 42.56.120.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-090, filed 8/30/07, effective 9/30/07; 91-13-056, § 479-02-090, filed 6/17/91, effective 7/18/91.]

WAC 479-02-100 Protection of public records. To protect public records, the following rules have been adopted:

(1) Copying of public documents will be done by staff or under their supervision.

(2) Public documents will not be removed by the requestor.

(3) Inspection of documents will be monitored by staff.

(4) If a request is submitted to examine or copy an entire file or group of documents, the public records officer will review the file and identify any protected records under RCW

42.17.310. A reasonable time to do the review will be given to the public records officer without being in violation of the obligation to reply promptly.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-100, filed 8/30/07, effective 9/30/07; 95-04-072, § 479-02-100, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-100, filed 6/17/91, effective 7/18/91.]

WAC 479-02-110 Denial of request. Whenever the record requested clearly falls within the statutory exemptions of chapter 42.56 RCW, or when the exempt status of the record is unclear:

(1) The public records officer will consult with the assistant attorney general to determine if a requested public record is exempt; and

(2) Any denial of a request based upon an exemption will be made by a written statement to the requestor together with specific explanation of the reasons for and how to request a review of the exemption.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-110, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-02-110, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-02-110, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-110, filed 6/17/91, effective 7/18/91.]

WAC 479-02-120 Review of agency denial. Denial of a public records request will be in accordance with RCW 42.56.530.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-120, filed 8/30/07, effective 9/30/07; 95-04-072, § 479-02-120, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-120, filed 6/17/91, effective 7/18/91.]

WAC 479-02-130 Records index. The public records officer will maintain a current index of board records.

(1) The following list of records is included in the index:

- (a) Legislation, rules, and regulations of the board;
- (b) Bylaws adopted by the board;
- (c) Minutes of board meetings;
- (d) Resolutions approved by the board;
- (e) Program guidelines;
- (f) Program reports and publications.

(2) The public records officer will update the index at least once a year or when deemed necessary by the executive director.

(3) The index will be available for inspection and copying as other public records.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-02-130, filed 8/30/07, effective 9/30/07; 95-04-072, § 479-02-130, filed 1/30/95, effective 3/2/95; 91-13-056, § 479-02-130, filed 6/17/91, effective 7/18/91.]

Chapter 479-05 WAC PROGRAM REQUIREMENTS

WAC

479-05-011	Submission of proposed projects.
479-05-012	Emergent nature project submission and limitations.
479-05-013	Urban project transfer for completion.
479-05-020	Six-year transportation plan.
479-05-030	A registered professional engineer must be in charge.
479-05-040	Value engineering study requirements.
479-05-041	When a value engineering study may be waived.
479-05-051	Project phases.
479-05-052	Project modification and scope change.
479-05-060	Methods of construction.
479-05-080	Standard specifications.

479-05-100	Utility adjustments or relocations.
479-05-101	Railroad adjustments or relocation.
479-05-120	Street illumination and traffic control devices.
479-05-130	Project landscaping and aesthetic improvements.
479-05-131	Mitigation costs and limitations.
479-05-140	Acquisition of rights of way.
479-05-141	What is eligible for reimbursement of right of way costs.
479-05-170	Reimbursement of engineering costs.
479-05-171	Reimbursement of cultural resource assessment costs for TIB funded projects.
479-05-201	When an agency may request an increase in TIB funds.
479-05-202	How an agency requests an increase in TIB funds.
479-05-203	Criteria the board and the executive director use when reviewing increase requests.
479-05-204	If an increase is not approved.
479-05-211	When a project is considered delayed.
479-05-212	The stages of delayed projects.
479-05-213	Review and consequences of delay.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

479-05-010	Time and place for submission of proposed transportation improvement board projects. [Statutory Authority: Chapter 47.26 RCW. 03-16-077, § 479-05-010, filed 8/4/03, effective 9/4/03. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-010, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-050	Procedures for project approval. [Statutory Authority: Chapter 47.26 RCW. 03-16-077, § 479-05-050, filed 8/4/03, effective 9/4/03. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-050, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-070	Registered engineer in charge. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-070, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-090	Design standards for transportation improvement board projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-090, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-110	Undergrounding utilities. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-110, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-150	Inclusion of bicycle facilities in transportation improvement board projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-150, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-160	Reimbursable costs. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-160, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-180	Direct costs. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-180, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-190	Indirect costs. [Statutory Authority: Chapter 47.26 RCW. 00-22-001, § 479-05-190, filed 10/19/00, effective 11/19/00. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-190, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-200	Partial or progress payments for project costs. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-200, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-05-210	Record requirements. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-210, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050,

- 479-05-220 filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
Audits of project records. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-220, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-230 Expenditure schedule of board funds. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-230, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-240 Procedure to request increase in board funds. [Statutory Authority: Chapter 47.26 RCW. 03-16-077, § 479-05-240, filed 8/4/03, effective 9/4/03; 01-19-040, § 479-05-240, filed 9/14/01, effective 10/15/01. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-240, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-250 Review of delayed projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-250, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-260 Recovery of board funds on canceled projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-260, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-270 Identification and consideration of surplus funds on authorized board projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-270, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-280 Funding shortfall. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-280, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-05-290 Over-programming of funds. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-290, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

WAC 479-05-011 Submission of proposed projects.

A call for projects may be made as the board deems appropriate. Subsequent to a call, a priority array may be adopted. The array will be published and will list all approved applications.

Special funding programs or a special call for projects may be made by the board as funds allow.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-011, filed 8/30/07, effective 9/30/07.]

WAC 479-05-012 Emergent nature project submission and limitations. An eligible agency may request the transportation improvement board consider a project for funding outside of the normal call for projects. To be considered as emergent nature, a project must demonstrate the following:

(1) There has been a significant change in the location or development of traffic generators in the area of the project.

(2) The work proposed is necessary to avoid or reduce serious traffic congestion in the area of the project in the near future.

(3) A partially funded project that, if completed, would enable a community to secure an unanticipated economic development opportunity.

(4) Other funding sources the local agency has applied for or secured for the project.

(5) The funding of the project would not adversely impact currently funded projects.

The agency may be asked to make a presentation to the board on the project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-012, filed 8/30/07, effective 9/30/07.]

WAC 479-05-013 Urban project transfer for completion. If an urban project meets the criteria of both the urban arterial trust account (UATA) and transportation improvement account (TIA), the funding source for the project may be transferred from one account to the other as the board deems necessary to ensure project completion.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-013, filed 8/30/07, effective 9/30/07.]

WAC 479-05-020 Six-year transportation plan. Projects selected in the priority array must be included in the local agency's six-year transportation plan prior to receiving authorization to proceed on the project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-020, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-020, filed 11/23/99, effective 12/24/99.]

WAC 479-05-030 A registered professional engineer must be in charge. All projects using UATA or TIA funds will be supervised by a professional engineer registered in the state of Washington.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-030, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-030, filed 11/23/99, effective 12/24/99.]

WAC 479-05-040 Value engineering study requirements. A value engineering study is required for urban projects with total cost exceeding two and one-half million dollars or when determined by the executive director to be in the best interest of the project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-040, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-040, filed 11/23/99, effective 12/24/99.]

WAC 479-05-041 When a value engineering study may be waived. If the project meets one of the following criteria, the study is automatically waived:

(1) Project receives less than twenty percent in TIB funds; or

(2) Project is construction only.

The executive director has the discretion to waive the value engineering study requirement if the total project cost is less than five million dollars.

The board has the discretion to waive the value engineering study requirement on any project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-041, filed 8/30/07, effective 9/30/07.]

WAC 479-05-051 Project phases. Projects authorized by the board are divided into the following phases:

(1) Design phase – documents that must be received prior to phase approval include:

(a) Signed funding status form confirming that the funding partners are fully committed;

(b) Page from the adopted six-year transportation plan which lists the project;

(c) Signed fuel tax agreement; and if applicable

(d) Consultant agreement (small city arterial and small city sidewalk programs only).

(2) Bid phase – documents that must be received prior to phase approval include:

(a) Signed bid authorization form that contains:

(i) Plans and specification package;

(ii) Written confirmation of funding partners; and

(iii) Confirmation that full funding is available for the project;

(b) Signed confirmation that right of way is acquired or possession and use agreement is in place;

(c) Engineer's estimate is in final format; and if applicable:

(i) Consultant agreement (small city arterial and small city sidewalk programs only);

(ii) Certification that a cultural resource assessment was completed;

(iii) Traffic signal warrants.

(3) Construction phase – documents that must be received prior to phase approval include:

(a) Updated cost estimate form signed by a local agency official and the project engineer;

(b) Bid tabulations; and

(c) Description of cost changes.

(4) Project closeout phase – documents that must be received prior to phase approval include:

(a) Updated cost estimate form signed by a local agency official and the project engineer;

(b) Final summary of quantities; and

(c) Accounting history signed by a local agency official or the financial manager.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-051, filed 8/30/07, effective 9/30/07.]

WAC 479-05-052 Project modification and scope change. The executive director may approve scope changes except the following which require the board's approval:

(1) A change in the project limits with a request for an increase in funding beyond the executive director's administrative authority in WAC 479-01-060;

(2) Adding or decreasing through lanes;

(3) Adding or eliminating grade separations;

(4) Reducing limits greater than one hundred lineal feet;

(5) Inclusion or exclusion of major project element that may be considered a scope change by the executive director; or

(6) Changes to project components that were used to rate the project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-052, filed 8/30/07, effective 9/30/07.]

WAC 479-05-060 Methods of construction. All construction using UATA or TIA funds shall be advertised, competitively bid and contracted, except:

(1) Utility and railroad relocations and adjustments;

(2) Government force work;

(3) Work eligible from the small works roster; and

(4) Local agencies may be otherwise exempt from bidding requirements if so authorized by an applicable statute contained in chapter 36.77, 35.22, 35.23, or 35.27 RCW.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-060, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-060, filed 11/23/99, effective 12/24/99.]

WAC 479-05-080 Standard specifications. The current edition of the *Standard Specifications for Road, Bridge, and Municipal Construction* or equivalent, will be used as the standard for construction of board funded projects.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-080, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-080, filed 11/23/99, effective 12/24/99.]

WAC 479-05-100 Utility adjustments or relocations. Utility adjustments or relocations may be reimbursed using the following criteria:

(1) If it is a direct cost for utility adjustments that are owned by the local government;

(2) If the utility provider owns the property in fee title; or

(3) If the utility franchise agreement requires the local agency to pay for those utility adjustments or relocations required by state or local government.

Upgrading of utilities is not eligible for reimbursement by UATA or TIA funds.

If the proposed work will cause a significant change in scope, the agency must seek board approval.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-100, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-100, filed 11/23/99, effective 12/24/99.]

WAC 479-05-101 Railroad adjustments or relocation. Railroad adjustments or relocations may be reimbursed using the following criteria:

(1) TIB will reimburse the local agency for reasonable and necessary costs.

(2) There is a direct impact within the project limits.

Improvements beyond the necessary replacement costs to mitigate the impacts of the project will not be reimbursed.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-101, filed 8/30/07, effective 9/30/07.]

WAC 479-05-120 Street illumination and traffic control devices. Traffic control devices for an approved project may be purchased and installed under RCW 35.22.620(3), 35.23.352(1), and 36.77.065(3) by:

(1) The contractor for the construction phase of the project; or

(2) Local agency employees.

UATA or TIA funds may be used in the costs to underground service connections for street illumination and traffic signal services within the approved project scope.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-120, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-120, filed 11/23/99, effective 12/24/99.]

WAC 479-05-130 Project landscaping and aesthetic improvements. Cost of landscaping and aesthetic improvements is limited to three percent of the total eligible authorized project costs.

- (1) Landscaping includes:
 - (a) Cost of trees, shrubs, sod, and other plant material.
 - (b) Top soil and bark.
 - (c) Irrigation and tree grates.
 - (d) Labor for installation.
- (2) Aesthetic improvement includes:
 - (a) Ornamental lighting.
 - (b) The local agency share of the cost of undergrounding of utilities.
 - (c) Public art.
 - (d) Special surfacing treatments (stamped concrete, pavers).
 - (e) Labor for installation.
- (3) Items not considered landscaping or aesthetic improvements are:
 - (a) Erosion control treatments.
 - (b) Wetland mitigation (plantings) required by federal or state regulations.
 - (c) Property restoration.

Requests for increases in landscaping and related costs are subject to WAC 479-05-201, 479-05-202, and 479-05-203. Landscaping costs in excess of the three percent limit may be paid for by funding sources other than TIB funds.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-130, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-130, filed 11/23/99, effective 12/24/99.]

WAC 479-05-131 Mitigation costs and limitations.

Mitigation costs may include:

- (1) Sound walls/berms: Unless required by specific regulations, TIB will not participate in this cost.
- (2) Superfund sites: TIB funds will not participate in the cost of cleanup.
- (3) Bridges: Bridge designs exceeding the most cost effective are not eligible for participation.
- (4) Wetlands: Mitigation in excess of what is required by federal or state requirements is not eligible to be reimbursed.

UATA or TIA funds may not be used for excessive design, mitigation beyond federal or state requirements, or other unusual project features.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-131, filed 8/30/07, effective 9/30/07.]

WAC 479-05-140 Acquisition of rights of way. Right of way for board funded projects shall be acquired in accordance with chapters 8.26 RCW and 468-100 WAC. Reimbursement of right of way acquisition costs are eligible within the design phase of the project.

At bid phase, right of way acquisitions should be completed and certified. If all right of way cannot be certified, the local agency must have possession and use agreements for the remaining parcels.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-140, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-140, filed 11/23/99, effective 12/24/99.]

WAC 479-05-141 What is eligible for reimbursement of right of way costs. Only the square footage needed for the roadway is eligible to be reimbursed, unless:

- (1) It is deemed by TIB to be in the best interest of the project to purchase the entire parcel;
- (2) An entire parcel take is required by local resolution; or
- (3) An uneconomic remnant will remain.

If after the completion of the project, the uneconomic remnant is sold, transferred, or rezoned to make it an economic remnant, the proceeds of any sale will be placed back in the local agency's motor vehicle fund to be used for road improvement purposes only.

In the event the project is not built, TIB funds expended for right of way may be requested to be refunded to the board.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-141, filed 8/30/07, effective 9/30/07.]

WAC 479-05-170 Reimbursement of engineering costs. Design and construction engineering costs eligible for reimbursement are limited to twenty-five percent of the approved contract bid amount, excluding special studies or right of way costs.

Surveying and materials testing costs, even if they are part of the contract costs, are considered part of construction engineering and are subject to the twenty-five percent limit. Exceptions to the twenty-five percent engineering limit may be considered for small city projects when an unforeseen issue arises that is beyond the control of the local agency. The local agency may request an increase through WAC 479-05-202 processes.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-170, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-05-170, filed 11/23/99, effective 12/24/99.]

WAC 479-05-171 Reimbursement of cultural resource assessment costs for TIB funded projects. If a cultural resource assessment is required by the state department of archaeology and historical preservation, TIB will reimburse the normal costs required for the assessment. The assessment is considered part of design engineering, is not a special study, and not included in the twenty-five percent limitation in WAC 479-05-170.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-171, filed 8/30/07, effective 9/30/07.]

WAC 479-05-201 When an agency may request an increase in TIB funds. Local agencies may request an increase in funds at the bid, construction, and project closeout phases.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-201, filed 8/30/07, effective 9/30/07.]

WAC 479-05-202 How an agency requests an increase in TIB funds. Increases in TIB funds may be requested by the lead local agency and submitted to TIB staff through the bid authorization form or updated cost estimate form.

The executive director will consider increase requests up to the levels in WAC 479-01-060.

Increase requests above the executive director administrative authority require board action. The local agency may be asked to prepare and make a presentation to the board justifying the increase.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-202, filed 8/30/07, effective 9/30/07.]

WAC 479-05-203 Criteria the board and the executive director use when reviewing increase requests. The board and executive director will consider the following when reviewing increase requests:

(1) Whether the granting of the request will obligate funding beyond an acceptable level or will adversely affect authorized funds previously approved by the board.

(2) Whether the request would fund expansion of the scope of work beyond that approved at design phase.

(3) Whether the local agency should have anticipated an increase would be necessary at the outset of the project.

(4) Requests for increases at construction phase will take priority over other phase requests.

(5) Local agency funding partner ability to contribute to the increased costs.

(6) Other criteria on a case-by-case basis.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-203, filed 8/30/07, effective 9/30/07.]

WAC 479-05-204 If an increase is not approved. An agency request for an increase in funds may go to either the executive director or the board, as described in WAC 479-05-202, depending on the size of the request:

(1) If the executive director hears the request and does not approve it, the local agency may:

(a) Proceed with the project, paying for any additional costs with local or other funds;

(b) Withdraw the request for participation;

(c) Request a formal review of the executive director's decision by the board; or

(d) Submit a request to the executive director to reduce the scope of the project as provided in WAC 479-05-052.

(2) If the board hears the request and does not approve it, the local agency may:

(a) Proceed with the project, paying for additional costs;

(b) Withdraw the request for participation; or

(c) Request a scope modification or reduction as provided in WAC 479-05-052.

In either case, the project will need to retain a usable and functional improvement to be granted a scope reduction.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-204, filed 8/30/07, effective 9/30/07.]

WAC 479-05-211 When a project is considered delayed. Projects are considered delayed when one of the following occurs:

(1) Urban corridor program projects do not reach construction phase within five years and six months.

(2) Urban arterial program projects do not reach construction phase within four years and six months.

(3) All other programs must reach construction phase within two years and six months.

The date funding is made available to the local agency by TIB is the starting point in calculating the delay date.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-211, filed 8/30/07, effective 9/30/07.]

WAC 479-05-212 The stages of delayed projects. For TIB funded projects, there are three stages of delay:

(1) Stage 1 delay - if the project does not meet the project target date per WAC 479-05-211.

(2) Stage 2 delay - if the project does not meet the revised bid date as agreed in Stage 1 delay under WAC 479-05-213(1), or one year after Stage 1 delay.

(3) Stage 3 delay - if the project does not meet the revised bid date as agreed to under Stage 2 delay under WAC 479-05-213(2), or one year after Stage 2 delay.

The executive director has discretion when moving projects from one stage of delay to the next and may consider pending bid dates or other indications or impending progress.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-212, filed 8/30/07, effective 9/30/07.]

WAC 479-05-213 Review and consequences of delay. Delayed projects will be reviewed as follows:

(1) Stage 1 - agency plan letter. The TIB staff report the delayed project to the board at a regularly scheduled board meeting. The executive director requests a letter from the local agency to respond with a progress plan to get back on schedule.

(2) Stage 2 - explanation and commitment. The local agency provides TIB staff with an explanation of why the project continues to be delayed and a commitment date which is acceptable to the executive director or board.

(3) Stage 3 - hearing. If the agency misses the agreed upon date(s) or deadlines set in the Stage 2 review, the agency will be provided a hearing in front of the board at the next regularly scheduled meeting. The result of the hearing will include an absolute date for resolution which is agreed to by the board.

If the local agency does not meet the absolute date for resolution as agreed to by the board in the Stage 3 hearing, the project may be suspended or the agency may be requested to withdraw the project and reapply for funding in a later application cycle.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-05-213, filed 8/30/07, effective 9/30/07.]

Chapter 479-06 WAC FINANCIAL REQUIREMENTS

WAC

479-06-010	Transportation improvement board sixteen-year financial plan.
479-06-020	Reimbursable costs.
479-06-030	Direct costs.
479-06-040	Indirect/overhead costs.
479-06-050	Progress payments.
479-06-060	Financial records requirement.
479-06-070	Project record review.
479-06-080	Final settlement.
479-06-090	Recovery of board funds on canceled projects.
479-06-100	Programming of funds.

WAC 479-06-010 Transportation improvement board sixteen-year financial plan. The board will update its sixteen-year financial plan at the beginning of each fiscal year. The financial plan will include estimated revenue to be available for new project starts in the ensuing biennium based on forecast council's revenue forecast. Other factors included

are fund balance, bond debt, interest revenue, legislative appropriation, projected expenditures by program, and any other issues that may impact new project starts.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-010, filed 8/30/07, effective 9/30/07.]

WAC 479-06-020 Reimbursable costs. Costs must be reasonable and chargeable to the project to be eligible for reimbursement. Project costs eligible for reimbursement are defined as direct and indirect.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-020, filed 8/30/07, effective 9/30/07.]

WAC 479-06-030 Direct costs. Direct costs eligible for reimbursement are costs that are directly charged to the project and may include:

- (1) Agency direct labor and employee benefits:
 - (a) Salaries and wages of agency nonadministrative employees working directly on the project as documented by payroll records.
 - (b) Employee benefits are calculated as a percentage of direct labor dollars as set by the board and include:
 - (i) F.I.C.A. (Social Security) - employer's share;
 - (ii) Retirement benefits (employer's share of actual cost);
 - (iii) Hospital, health, dental and other welfare insurance;
 - (iv) Life insurance;
 - (v) Industrial and medical insurance.
 - (c) Employee leave:
 - (i) Vacation;
 - (ii) Sick leave;
 - (iii) Holiday pay;
 - (iv) Civil leave.
- (2) Contract engineering services as specified by a consultant agreement.
- (3) Permit fees.
- (4) Right of way acquired for the project includes the following costs:
 - (a) Purchase cost of all property and property rights needed for specific projects in accordance with chapter 8.26 RCW including access rights, easements, losses in property value or damages (if any);
 - (b) Salaries, expenses, or fees of appraisers, negotiators and attorneys.
- (5) Contract construction work.
- (6) Project specific capital equipment acquisition approved by the board.
- (7) Project specific vehicle and equipment charges will be reimbursed based on the actual rental cost paid for the equipment. If agency owned equipment is used, rental rates established by the agency's "equipment rental and revolving fund" will be reimbursed. All vehicle and equipment costs will be charged the agency standard rate for all projects regardless of the source of funding. Agencies without an equipment revolving fund will be reimbursed based on rates published by department of transportation for similar equipment.
- (8) Project specific direct materials, supplies, and services used for projects will be reimbursed based on actual cost.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-030, filed 8/30/07, effective 9/30/07.]

WAC 479-06-040 Indirect/overhead costs. Indirect or overhead costs are common administrative cost objectives that cannot be easily charged to the project. Indirect costs incurred by an agency for administrative costs will be reimbursed up to a maximum of ten percent of the direct labor costs.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-040, filed 8/30/07, effective 9/30/07.]

WAC 479-06-050 Progress payments. Payments of funds are governed by the following:

- (1) Incurred costs must be in conformity with all applicable federal and state laws, rules, regulations, and procedures.
- (2) Agencies will submit requests for payment on forms prescribed by the board. Requests for payment will be submitted as the project progresses.
- (3) The director may require a payment to be divided into installments if one of the following criteria is met:
 - (a) The agency has not billed for six months or longer;
 - (b) The agency has billed for an amount over the director determined level; or
 - (c) Cash balance of the account is below fifty percent of the minimum operating reserve.
- (4) Costs incurred prior to phase approval are not eligible for reimbursement.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-050, filed 8/30/07, effective 9/30/07.]

WAC 479-06-060 Financial records requirement. (1) Agencies must maintain documents that support project costs incurred. The supporting documentation may be required by the board for first project payment and at other times during the project life.

(2) Records must be maintained in accordance with the *Records Retention Schedule* as published by the secretary of state's office.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-060, filed 8/30/07, effective 9/30/07.]

WAC 479-06-070 Project record review. Project records may be reviewed by the board to ensure that project costs are eligible for reimbursement. The records may be requested at any time during the project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-070, filed 8/30/07, effective 9/30/07.]

WAC 479-06-080 Final settlement. Up to five percent of total transportation improvement board funds may be retained until the agency submits final, complete, and accurate closeout documentation for a project.

A unilateral closeout of a project may be initiated by the board when an agency has not responded to requests for final documentation and all funds are expended.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-080, filed 8/30/07, effective 9/30/07.]

WAC 479-06-090 Recovery of board funds on canceled projects. If the grant award was made as a result of falsification, negligence, or deliberate misrepresentation on the part of the agency, the board may require repayment of funds. An agency is not responsible to repay transportation

improvement board funds if the effort was made in good faith and circumstances are beyond the agency's control.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-090, filed 8/30/07, effective 9/30/07.]

WAC 479-06-100 Programming of funds. The transportation improvement board selects projects based on an estimate of fund balance, projected revenues, current project expenditures, and future program obligations. The amount allocated per program will not exceed projected cash needs for a six-year period.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-06-100, filed 8/30/07, effective 9/30/07.]

Chapter 479-12 WAC

URBAN ARTERIAL TRUST ACCOUNT PROJECTS

WAC

479-12-005	Purpose and authority.
479-12-006	Previously funded projects.
479-12-011	Programs funded from the urban arterial trust account.
479-12-111	Who is eligible to receive urban arterial program funding.
479-12-121	What projects are eligible for urban arterial program funding.
479-12-131	Award criteria for the urban arterial program.
479-12-141	Regions of the urban arterial program.
479-12-151	Funding distribution formula for the urban arterial program.
479-12-161	Matching requirement for the urban arterial program.
479-12-211	Who is eligible to receive small city arterial program funding.
479-12-221	What projects are eligible for small city arterial program funding.
479-12-231	Award criteria for the small city arterial program.
479-12-241	Regions of the small city arterial program.
479-12-251	Funding distribution formula for the small city arterial program.
479-12-261	Matching requirement for the small city arterial program.
479-12-402	Sidewalk program subprograms.
479-12-411	Who is eligible to receive sidewalk program funding.
479-12-421	What projects are eligible for sidewalk program funding.
479-12-431	Award criteria for the sidewalk program.
479-12-441	Regions of the sidewalk program.
479-12-451	Distribution formula for the sidewalk program.
479-12-461	Matching requirement for the sidewalk program.
479-12-500	Sidewalk deviation authority for urban arterial program and small city arterial program.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

479-12-008	Definitions. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-008, filed 11/23/99, effective 12/24/99. Statutory Authority: RCW 4.26.086, 47.26.080 and 82.44.180. 96-04-015, § 479-12-008, filed 1/29/96, effective 2/29/96. Statutory Authority: 1995 c 269 § 2601. 95-22-056, § 479-12-008, filed 10/30/95, effective 11/30/95. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-12-008, filed 1/30/95, effective 3/2/95.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-100	Intent of the arterial improvement program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-100, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-110	Priority criteria for arterial improvement program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-110, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-12-120	Establishing regions for arterial improvement program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-120, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-130	Apportionment of funds to arterial improvement program regions. [Statutory Authority: Chapter 47.26 RCW. 04-19-108, § 479-12-130, filed 9/21/04, effective 10/22/04. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-130, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-140	Eligible arterial improvement program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-140, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-150	Matching ratios for arterial improvement program projects. [Statutory Authority: Chapter 47.26 RCW. 05-05-004, § 479-12-150, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-150, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-200	Intent of the small city program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-200, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-210	Priority criteria for small city program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-210, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-220	Establishing regions for small city program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-220, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-230	Apportionment of funds to small city program regions. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-230, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-240	Eligible small city program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-240, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-250	Matching requirements for small city program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-250, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-300	Intent of the city hardship assistance program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-300, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-310	Priority criteria for city hardship assistance program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-310, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-340	Eligible city hardship assistance program agencies or streets. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-340, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-350	Matching ratios for city hardship assistance program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-350, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
479-12-360	Allowable city hardship assistance program activities. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-360, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

- 479-12-370 City hardship assistance program participation with other funds. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-370, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-12-400 Intent of pedestrian safety and mobility program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-400, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-12-410 Priority criteria for pedestrian safety and mobility projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-410, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-12-420 Establishing regions for the pedestrian safety and mobility program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-420, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-12-430 Apportionment of funds to pedestrian safety and mobility program regions. [Statutory Authority: Chapter 47.26 RCW. 04-19-108, § 479-12-430, filed 9/21/04, effective 10/22/04; 03-16-077, § 479-12-430, filed 8/4/03, effective 9/4/03. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-430, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.
- 479-12-440 Eligible pedestrian safety and mobility projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-440, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

WAC 479-12-005 Purpose and authority. The transportation improvement board adopts reasonable rules necessary to implement the urban arterial trust account.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-005, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-005, filed 11/23/99, effective 12/24/99. Statutory Authority: Chapter 47.26 RCW. 95-04-072, § 479-12-005, filed 1/30/95, effective 3/2/95.]

WAC 479-12-006 Previously funded projects. Projects are not eligible to compete for funding within the term limits of a previously funded project for a period of ten years from contract completion. A project that is divided into multiple phases or stages is not considered a previously funded project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-006, filed 8/30/07, effective 9/30/07.]

WAC 479-12-011 Programs funded from the urban arterial trust account. The urban arterial trust account funds the following programs:

- (1) The urban arterial program;
- (2) The small city arterial program; and
- (3) The sidewalk programs:
 - (a) Urban sidewalk program;
 - (b) Small city sidewalk program.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-011, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-12-011, filed 11/23/99, effective 12/24/99.]

WAC 479-12-111 Who is eligible to receive urban arterial program funding. Agencies eligible to receive urban arterial program funds are:

(1) Incorporated cities with a population of five thousand or greater.

(2) Incorporated cities with a population less than five thousand which are located in a federal urban area.

(3) Counties with a federally designated urban area.

Generally, the eligible agency will be designated as the project lead. However, the executive director may designate another agency as lead in the best interest of project completion or for convenience to both parties.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-111, filed 8/30/07, effective 9/30/07.]

WAC 479-12-121 What projects are eligible for urban arterial program funding. Eligible projects are improvements located on a route with an urban federal functional classification.

Any urban street that is not functionally classified at the time of award must obtain functional classification prior to approval to expend board funds.

For the urban arterial program, sidewalks are required on both sides of the roadway unless a sidewalk deviation is granted by the executive director or board through WAC 479-12-500.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-121, filed 8/30/07, effective 9/30/07.]

WAC 479-12-131 Award criteria for the urban arterial program. The board establishes the following criteria for use in evaluating urban arterial program grant applications:

(1) Safety improvements - addresses accident reduction, eliminates roadway hazards, and corrects roadway deficiencies.

(2) Mobility improvements - improves level of service, improves access to generators, and connects urban street networks.

(3) Pavement condition - replaces or rehabilitates street surfaces and structural deficiencies.

(4) Mode accessibility - provides additional high occupancy vehicle lanes, bus volume, or nonmotorized facilities.

(5) Local support - demonstrates initiative to achieve full funding and project completion.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-131, filed 8/30/07, effective 9/30/07.]

WAC 479-12-141 Regions of the urban arterial program. The board allocates urban arterial program funding across five regions to ensure statewide distribution of funds. The five regions are as follows:

(1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.

(2) Northwest region includes eligible agencies within Clallam, Island, Jefferson, Kitsap, San Juan, Skagit, and Whatcom counties.

(3) Northeast region includes eligible agencies within Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman counties.

(4) Southeast region includes eligible agencies within Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima counties.

(5) Southwest includes eligible agencies within Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum counties.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-141, filed 8/30/07, effective 9/30/07.]

WAC 479-12-151 Funding distribution formula for the urban arterial program. The statewide distribution of urban arterial program funds is allocated between regions according to the following formula:

The average of the ratios of region urban area population (RUP) divided by statewide urban population (SUP) plus the region functionally classified lane miles within the urban area (RFC) divided by statewide functionally classified lane miles within urban areas (SFC).

The equation is as follows:

$$\frac{(RUP/SUP) + (RFC/SFC)}{2}$$

The board may adjust the regional allocation by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, TIB staff will update the regional allocation to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-151, filed 8/30/07, effective 9/30/07.]

WAC 479-12-161 Matching requirement for the urban arterial program. The urban arterial program provides funding which will be matched by other funds as follows:

(1) For cities:

(a) If the city valuation is under \$1.0 billion, the matching rate is ten percent of total project costs.

(b) If the city valuation is \$1.0 billion to \$2.5 billion, the rate is fifteen percent of total project costs.

(c) If the city valuation is over \$2.5 billion, the rate is twenty percent of total project costs.

(2) For counties:

(a) If the road levy valuation is under \$3.0 billion, the rate is ten percent of total project costs.

(b) If the road levy valuation is between \$3.0 billion to \$10.0 billion, the rate is fifteen percent of total project costs.

(c) If the road levy valuation is over \$10.0 billion, the rate is twenty percent of total project costs.

The board uses the current valuations from the department of revenue.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-161, filed 8/30/07, effective 9/30/07.]

WAC 479-12-211 Who is eligible to receive small city arterial program funding. An eligible agency is an incorporated city or town that has a population of less than five thousand.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-211, filed 8/30/07, effective 9/30/07.]

WAC 479-12-221 What projects are eligible for small city arterial program funding. To be eligible for funding, a

proposed project must improve an arterial that meets at least one of the following standards:

(1) Serves as a logical extension of a county arterial or state highway through the city; or

(2) Acts as a bypass or truck route to relieve the central core area; or

(3) Serves as a route providing access to local facilities such as:

(a) Schools;

(b) Medical facilities;

(c) Social centers;

(d) Recreational areas;

(e) Commercial centers;

(f) Industrial sites.

Sidewalks are required on one side of the roadway unless a deviation is granted under WAC 479-12-500.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-221, filed 8/30/07, effective 9/30/07.]

WAC 479-12-231 Award criteria for the small city arterial program. The board establishes the following criteria for use in evaluating small city arterial program grant applications:

(1) Safety improvement - projects that address accident reduction, hazard elimination, and roadway deficiencies.

(2) Pavement condition - replaces or rehabilitates street surfaces and structural deficiencies.

(3) Local support - projects that improve network development and address community needs.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-231, filed 8/30/07, effective 9/30/07.]

WAC 479-12-241 Regions of the small city arterial program. The board allocates small city arterial program funding across three regions to ensure statewide distribution of funds. The three regions are as follows:

(1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.

(2) East region includes eligible agencies within Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties.

(3) West region includes eligible agencies within Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom counties.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-241, filed 8/30/07, effective 9/30/07.]

WAC 479-12-251 Funding distribution formula for the small city arterial program. The statewide distribution of small city arterial program funds is allocated between regions according to the following formula:

Region small city population divided by statewide small city population.

The board may adjust the regional allocation by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, staff will update the regional allocations to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-251, filed 8/30/07, effective 9/30/07.]

WAC 479-12-261 Matching requirement for the small city arterial program. There is no match requirement for cities with a population of five hundred or less. Cities with a population over five hundred must provide a minimum match of five percent of the total project cost.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-261, filed 8/30/07, effective 9/30/07.]

WAC 479-12-402 Sidewalk program subprograms. In order to provide equity for project grant funding, the sidewalk program is divided into the urban sidewalk program and the small city sidewalk program.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-402, filed 8/30/07, effective 9/30/07.]

WAC 479-12-411 Who is eligible to receive sidewalk program funding. Each of the subprograms has separate criteria for agency eligibility as follows:

- (1) Urban sidewalk program agency eligibility:
 - (a) Incorporated cities with a population of five thousand and over.
 - (b) Incorporated cities with a population less than five thousand which are located within a federally designated urban area.
 - (c) Counties with a federally designated urban area.
- (2) Small city sidewalk program agency eligibility:
 - Incorporated cities with a population under five thousand.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-411, filed 8/30/07, effective 9/30/07.]

WAC 479-12-421 What projects are eligible for sidewalk program funding. Minimum project requirements for each subprogram are as follows:

- (1) Urban sidewalk program project eligibility:
 - (a) Must be on or related to a functionally classified route; and
 - (b) Primary purpose of the project is transportation and not recreation.
- (2) Small city sidewalk program project eligibility:
 - (a) The project must be located on or related to a street within the TIB designated arterial system; and
 - (b) Primary purpose of the project is transportation and not recreation.

For both of the subprograms, TIB does not participate in the cost for right of way acquisitions.

For the urban sidewalk program, TIB does not provide funding increases.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-421, filed 8/30/07, effective 9/30/07.]

WAC 479-12-431 Award criteria for the sidewalk program. The board establishes the following criteria for use in evaluating sidewalk program grant applications for both urban and small city sidewalk projects:

- (1) Safety improvement - projects that address hazard mitigation and accident reduction.

(2) Pedestrian access - projects that improve or provide access to facilities including:

- (a) Schools;
 - (b) Public buildings;
 - (c) Central business districts;
 - (d) Medical facilities;
 - (e) Activity centers;
 - (f) High density housing (including senior housing);
 - (g) Transit facilities;
 - (h) Completes or extends existing sidewalks.
- (3) Local support - addresses local needs and is supported by the local community.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-431, filed 8/30/07, effective 9/30/07.]

WAC 479-12-441 Regions of the sidewalk program. The board allocates sidewalk program funding across three regions to ensure statewide distribution of funds. The three regions are as follows:

- (1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.
- (2) East region includes eligible agencies within Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties.
- (3) West region includes eligible agencies within Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom counties.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-441, filed 8/30/07, effective 9/30/07.]

WAC 479-12-451 Distribution formula for the sidewalk program. For the purpose of allocating funds, the sidewalk program is divided into two subprograms, the urban sidewalk program and the small city sidewalk program. The distribution formulas are as follows:

- (1) Urban sidewalk program - the average of the ratios of region urban area population (RUP) divided by statewide urban population (SUP) plus region functionally classified lane miles within the urban area (RFC) divided by statewide functionally classified lane miles within urban areas (SFC).

The equation is as follows:

$$\frac{(RUP/SUP) + (RFC/SFC)}{2}$$

- (2) Small city sidewalk program - region small city population divided by statewide small city population.

For either program, the board may adjust regional allocations by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, staff will update the regional allocations to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-451, filed 8/30/07, effective 9/30/07.]

WAC 479-12-461 Matching requirement for the sidewalk program. The sidewalk program provides funding which will be matched by other funds as follows:

(1) The urban sidewalk program requires a match of at least twenty percent of total project costs.

(2) Small city sidewalk program matching rates are dependent on the city population as follows:

(a) Cities with a population of five hundred and below are not required to provide matching funds.

(b) Cities with a population over five hundred but less than five thousand, require a match of at least five percent of the total project costs.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-461, filed 8/30/07, effective 9/30/07.]

WAC 479-12-500 Sidewalk deviation authority for urban arterial program and small city arterial program. The transportation improvement board recognizes the need for pedestrian facilities on arterial roadways and has required that sidewalks be provided under the urban arterial program and small city arterial program. A sidewalk deviation may be requested by the lead agency and may be granted under the following authorities:

(1) The executive director has administrative authority to grant sidewalk deviations as follows:

(a) On one side if the roadway is a frontage road immediately adjacent to a limited access route;

(b) On one side if the roadway is immediately adjacent to a railroad or other facility considered dangerous to pedestrians;

(c) On both sides if the roadway is a ramp providing access to a limited access route; or

(d) On both sides of a designated limited access facility if:

(i) Route is signed to prohibit pedestrians; or

(ii) Pedestrian facilities are provided on an adjacent parallel route.

(2) All other sidewalk deviation requests require board action.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-12-500, filed 8/30/07, effective 9/30/07.]

Chapter 479-14 WAC

TRANSPORTATION IMPROVEMENT ACCOUNT PROJECTS

WAC

479-14-005	Purpose and authority.
479-14-006	Previously funded projects.
479-14-011	Program funded from the transportation improvement account.
479-14-111	Who is eligible to receive urban corridor program funding.
479-14-121	What projects are eligible for urban corridor program funding.
479-14-131	Award criteria for the urban corridor program.
479-14-141	Regions of the urban corridor program.
479-14-151	Funding distribution formula for the urban corridor program.
479-14-161	Matching requirement for the urban corridor program.
479-14-200	Sidewalk deviation authorities for urban corridor program.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

479-14-008	Definitions. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-008, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed
------------	---

8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-010 Programs funded from the transportation improvement account. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-010, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-100 Intent of the transportation partnership program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-100, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-110 Priority criteria for the transportation partnership program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-110, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-120 Establishing regions for transportation partnership program. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-120, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-130 Apportionment of funds to transportation partnership program regions. [Statutory Authority: Chapter 47.26 RCW. 04-19-108, § 479-14-130, filed 9/21/04, effective 10/22/04; 00-22-001, § 479-14-130, filed 10/19/00, effective 11/19/00. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-130, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-140 Eligible transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-140, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-150 Designation of lead agency for transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-150, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-160 Verification of coordination with planning authority for transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-160, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-170 Planning requirements for multiagency transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-170, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-180 Local/private matching funds on transportation partnership program projects. [Statutory Authority: Chapter 47.26 RCW. 05-05-004, § 479-14-180, filed 2/4/05, effective 3/7/05. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-180, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

479-14-190 Certification of local/private matching funds for transportation partnership program projects. [Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-190, filed 11/23/99, effective 12/24/99.] Repealed by 07-18-050, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapter 47.26 RCW.

WAC 479-14-005 Purpose and authority. The transportation improvement board adopts reasonable rules necessary to implement the transportation improvement account.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-005, filed 8/30/07, effective 9/30/07. Statutory Authority: Chapters 47.26 and 47.66 RCW. 99-24-038, § 479-14-005, filed 11/23/99, effective 12/24/99.]

WAC 479-14-006 Previously funded projects.

Projects are not eligible to compete for funding within the term limits of a previously funded project for a period of ten years from contract completion. A project that is divided into multiple phases is not considered a previously funded project.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-006, filed 8/30/07, effective 9/30/07.]

WAC 479-14-011 Program funded from the transportation improvement account. The transportation improvement account funds the urban corridor program.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-011, filed 8/30/07, effective 9/30/07.]

WAC 479-14-111 Who is eligible to receive urban corridor program funding. Eligible agencies are:

- (1) Counties that have an urban area;
- (2) Incorporated cities with a population of five thousand or more; and
- (3) Transportation benefit districts.

Generally, the eligible agency will be designated as the project lead. However, the executive director may designate another agency as lead in the best interest of project completion or for convenience to both parties.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-111, filed 8/30/07, effective 9/30/07.]

WAC 479-14-121 What projects are eligible for urban corridor program funding. Eligible projects are:

- (1) Improvements on federally classified arterials; or
- (2) Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act.

Any urban street that is not functionally classified at the time of award must obtain functional classification prior to approval to expend board funds.

Sidewalks are required on both sides of the arterial unless a deviation is granted under WAC 479-14-200.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-121, filed 8/30/07, effective 9/30/07.]

WAC 479-14-131 Award criteria for the urban corridor program. The board establishes the following criteria for use in evaluating urban corridor program grant applications:

- (1) Mobility improvements - includes system connectivity, improves flow of vehicles and freight, and extends or completes corridor for network connections.
- (2) Local support - demonstrates initiative to achieve full funding and project completion.
- (3) Growth and development improvements - provides or improves access to urban centers, economic development, supports annexation agreements, and increases residential density.
- (4) Safety improvements - addresses accident reduction, elimination of roadway hazards, corrects roadway deficiencies, and eliminates railroad at-grade crossing.
- (5) Mode accessibility - additions to or enhancements of high occupancy vehicle and nonmotorized transportation modes.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-131, filed 8/30/07, effective 9/30/07.]

WAC 479-14-141 Regions of the urban corridor program. The board allocates urban corridor program funding across three regions to ensure statewide distribution of funds. The three regions are as follows:

- (1) Puget Sound region includes eligible agencies within King, Pierce, and Snohomish counties.
- (2) East region includes eligible agencies within Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties.
- (3) West region includes eligible agencies within Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom counties.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-141, filed 8/30/07, effective 9/30/07.]

WAC 479-14-151 Funding distribution formula for the urban corridor program. The statewide distribution of urban corridor program funds is allocated between regions according to the following formula:

The average of the ratios of region urban area population (RUP) divided by the statewide urban population (SUP) plus region functionally classified lane miles within the urban area (RFC) divided by statewide functionally classified lane miles within urban areas (SFC).

$$\frac{(RUP/SUP) + (RFC/SFC)}{2}$$

The board may adjust the regional allocation by plus or minus five percent to fully fund the approved list of regional projects. When requested by the board, TIB staff will update the regional allocation to ensure equitable distribution of funds.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-151, filed 8/30/07, effective 9/30/07.]

WAC 479-14-161 Matching requirement for the urban corridor program. The urban corridor program provides funding which will be matched by other funds as follows:

- (1) For cities:
 - (a) If the city valuation is under \$1.0 billion, the matching rate is ten percent of total project costs.
 - (b) If the city valuation is \$1.0 billion to \$2.5 billion, the rate is fifteen percent of total project costs.
 - (c) If the city valuation is over \$2.5 billion, the rate is twenty percent of total project costs.
- (2) For counties:
 - (a) If the road levy valuation is under \$3.0 billion, the rate is ten percent of total project costs.
 - (b) If the road levy valuation is between \$3.0 billion to \$10.0 billion, the rate is fifteen percent of total project costs.
 - (c) If the road levy valuation is over \$10.0 billion, the rate is twenty percent of total project costs.

The board uses the current published valuation from the department of revenue.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-161, filed 8/30/07, effective 9/30/07.]

WAC 479-14-200 Sidewalk deviation authorities for urban corridor program. The board recognizes the need for pedestrian facilities on arterial roadways and has required that sidewalks be provided under the urban corridor program. A sidewalk deviation may be requested by the lead agency and may be granted under the following authorities:

(1) The executive director has administrative authority to grant sidewalk deviations as follows:

(a) On both sides if the roadway is a ramp providing access to a limited access route;

(b) On both sides of a designated limited access facility if:

(i) Route is signed to prohibit pedestrians; or

(ii) Pedestrian facilities are provided on an adjacent parallel route;

(c) On one side if the roadway is a frontage road immediately adjacent to a limited access route; or

(d) On one side if the roadway is immediately adjacent to a railroad or other facility considered dangerous to pedestrians.

(2) All other sidewalk deviation requests require board action.

[Statutory Authority: Chapter 47.26 RCW. 07-18-050, § 479-14-200, filed 8/30/07, effective 9/30/07.]